

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eric R. Schott
Application No.: 10/761,884 Group: 2185
Filed: January 20, 2004 Examiner: Duc T. Doan
Confirmation No: 4233
For: Storage Systems Having Differentiated Storage Pools

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
Date	Signature
_____ Typed or printed name of person signing certificate	

**PETITION TO REVIVE UNINTENTIONALLY ABANDONED
APPLICATION UNDER 37 CFR § 1.137(b)**

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Notice of Abandonment dated May 11, 2010, Applicant respectfully requests that the above-identified application be revived pursuant to 37 CFR § 1.137(b).

Applicant respectfully requests that prosecution of the application be allowed to proceed. A reply is being filed concurrently herewith.

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR § 1.137(b) was unintentional.

A Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address (a "New POA") was filed with the U.S. Patent and Trademark Office on March 20, 2008. A copy of the date stamped postcard is attached. (Exhibit A).

The Image File Wrapper on Private PAIR lists the new POA as being received on March 24, 2008.

In the Office Action dated September 30, 2009, at page 11, item A), the Examiner acknowledges receipt of the new POA. However, the Office Action dated September 30, 2009 was still addressed to the previous firm. The error in addressing the Office Action was at least one reason why the abandonment was unintentional.

Please charge the Petition fee under § 1.17(m) in the amount of \$1,620 to Deposit Account No. 08-0380. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By /David J. Thibodeau, Jr., Reg. No. 31671/
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Concord, MA 01742-9133
Dated: September 17, 2010

Initials: DJT/nzk(amg)

Docket No.: 3721.1004-001

Date: 3/20/08

This is to acknowledge receipt of the following documents:

- ☒ REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY and CHANGE OF CORRESPONDENCE ADDRESS
- ☐ Request for Change of Docket Number and Corrected Filing Receipt w/copy
- ☒ Statement under § 3.73(b)
- ☐ Other: []

Applicant: Eric R. Schott

Application/Patent No.: 10/761,884

Title: Storage Systems Having...

Date received by the PTO

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Filed/Issued: January 20, 2004

EXHIBIT

A